UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 45568-00400

Total Pages in this Submission 51

TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application

					P.O. Bo Alexandria, V	ox 1450 A 22313-145	0	
Transmitted			filing under 35	5 U.S	i.C. 111(a) and	37 C.F.R. 1.53	3(b) is a new utility patent ap	olication for an O
"PHAS	E BA	SED FEI	EDBACK OSC	CILL	ATION PREVE	NTION IN HE	EARING AIDS"	7 U.S.PT
and invente	d by							10,
Scott Al	lan M	Iiller III						***
If a CONT	NUA	TION AF	PPLICATION,	ched	ck appropriate b	ox and supply	the requisite information:	
☐ Conti	nuat	ion 🗆	Divisional		Continuation-	in-part (CIP)	of prior application No.:	
Which is a Conti	nuat						of prior application No.:	·
☐ Conti	nuat	ion 🗆	Divisional	Ч	Continuation-	in-part (CIP)	of prior application No.:	·
Enclosed a	are:				Application	n Elements		•
1. 🛛	Eilin	a foo as	calculated an	d trai	nsmitted as des			
is.			·					
2. 🗵	Spe	cification	having		29	_ pages and i	ncluding the following:	
a.	X	Descript	tive Title of the	e Inv	ention			
b.		Cross R	References to	Relat	ted Applications	(if applicable)) -	
c.		Stateme	ent Regarding	Fede	erally-sponsored	d Research/De	evelopment (if applicable)	
d.		Referen	ice to Sequen	ce Li	sting, a Table, c	or a Computer	Program Listing Appendix	
e.	X	Backgro	ound of the Inv	entic/	on			
f.	X	Brief Su	ımmary of the	Inve	ntion			
g.	X	Brief De	escription of th	e Dra	awings (if filed)			
h.	X	Detailed	d Description					
i.	X	Claim(s) as Classified	d Belo	ow			
j.	X	Abstrac	t of the Disclo	sure				

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Drawing(s) (when necessary as prescribed by 35 USC 113) a. \boxtimes Formal Number of Sheets b. 🗆 Informal Number of Sheets ☑ Oath or Declaration a. 🛛 Newly executed (original or copy) Unexecuted Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only) b. 🗆 c. 🗆 With Power of Attorney d. 🔲 DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b). 5. Incorporation By Reference (usable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. CD ROM or CD-R in duplicate, large table or Computer Program (Appendix) 7. Application Data Sheet (See 37 CFR 1.76) 8. Uncleotide and/or Amino Acid Sequence Submission (if applicable, all must be included) a. Computer Readable Form (CFR) b. 🗆 Specification Sequence Listing on: i. 🗆 CD-ROM or CD-R (2 copies); or ii. D Paper c. Statement(s) Verifying Identical Paper and Computer Readable Copy **Accompanying Application Parts** Assignment Papers (cover sheet & document(s)) ☐ 37 CFR 3.73(B) Statement (when there is an assignee) 10. ☐ English Translation Document (if applicable) ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations 12. 13. Preliminary Amendment Return Receipt Postcard (MPEP 503) (Should be specifically itemized) ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. ☑ Certificate of Mailing First Class Express Mail (Specify Label No.): EV328105137US

Application Elements (Continued)

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	Accompanying Application Parts (Continued)	
X	Applicant claims small entity status. See 37 CFR 1.27.	
	☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted:	
	Additional Enclosures (please identify below):	
	Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)	
	Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.	
	Warning	
	An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.	
		Additional Enclosures (please identify below): Additional Enclosures (please identify below): Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2) Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application. Warning An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(I), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice

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Fee Calculation and Transmittal

CLAIMS AS FILED

		OLAIIIO	ASTILLE				
For	#Filed	#Allowed	#Extra		Rate		Fee
Total Claims	35	- 20 =	15	x	\$9.00		\$135.00
Indep. Claims	3	- 3 =	0	x	\$43.00		\$0.00
Multiple Dependen	t Claims (checl	k if applicable)					\$0.00
						BASIC FEE	\$385.00
OTHER FEE (spec	cify purpose)						\$0.00
			. "		TOTAL	FILING FEE	\$520.00

A check in the amount of

\$520.00

to cover the filing fee is enclosed.

☑ The Director is hereby authorized to charge and credit Deposit Account No. as described below.

50-1419

☐ Charge the amount of

as filing fee.

☑ Credit any overpayment.

☐ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance,

pursuant to 37 C.F.R. 1.311(b).

Dated: April 9, 2004

Travis C. Stephenson, Esq. Registration No. 45,132

MARSH FISCHMANN & BREYFOGLE LLP

3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

(720)562-5500

cc:

CUSTOMER NO. 25231

Page 4 of 4

CERTIFICATE OF M Applicant(s): MILLER III	AILING BY "EXPRESS N I, Scott Allan	MAIL" (37 CFR 1.10)	Docket No. 45568-00400	
Serial No. Not Yet Assigned	Filing Date April 9, 2004	Examiner Not Yet Assigned	Group Art Unit Not Yet Assigned	
nvention: "PHASE BASI	ED FEEDBACK OSCILLATIO	N PREVENTION IN HEARING	AIDS"	
I hereby certify that the f	following correspondence:			
Utility Patent Application	on			
<u> </u>	(Identify type o	f correspondence)	 -	
is being deposited with t	the United States Postal Servic	e "Express Mail Post Office to Ad	ddressee" service under 3°	
		r for Patents, P.O. Box 1450, A		
on	April 9, 2004 (Date)		,	
		Bobbye D. Sim	on	
		(Typed or Printed Name of Person Mail	ing Correspondence)	
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